

NOVALUX MD 12, LLC
110 West Saratoga # 4
Baltimore, MD 21201

Plaintiff

v.

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY
* CASE NO.: _____

KENNETH B. MUMAW, SURVIVING DIRECTOR OF
Kenneth B. Mumaw Plumbing & Heating Co. Inc.
3500 Parkdale Avenue
Baltimore, MD 21211

and

SMALL BUSINESS ADMINISTRATION
s/o: Stephen D. Umberger, District Director
10 S. Howard St
Baltimore, MD 21201

and

G.J. LANG, TRUSTEE
10 S. Howard Street, 6th Fl
Baltimore, MD 21201

and

RAYMOND T. HANDY, TRUSTEE
10 S. Howard St, 6th Fl
Baltimore, MD 21201

and

City of Baltimore
S/O Harry E. Black
Director of Finance
100 N. Holiday Street
Room 454
Baltimore, MD 21202

The Mayor and City Council
Of Baltimore City
S/O George A. Nilson
100 N. Holiday Street
Baltimore, MD 21202

and

File Ref. No.: 13-07-215T /HF

2013 DEC 13 PM 3:29
CIVIL DIVISION
TAX FORECLOSURE

COPY

All unknown owners of the property described Below; all heirs, devisees, personal representatives, and executors, administrators, grantees, assigns or successors in right, title, interest, and any and all persons having or claiming to have any interest in the property and premises situate in the City of Baltimore, known as 816 N. Fulton Avenue and described as Lot Size 16x91 Being known as Ward 16 Section 04 Block 0084 Lot 009 on the Tax Roll of the Director of Finance.

2013 DEC 13 PM 3:29
CIVIL DIVISION
TAX FORECLOSURE

Defendants

**COMPLAINT TO FORECLOSE THE EQUITY OF
REDEMPTION FOR NON-PAYMENT OF TAXES**

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The complaint of Novalux MD 12 LLC, Plaintiff, by ANTHONY C. ONWUANIBE, their attorney, respectfully represents unto the Honorable Court for cause:

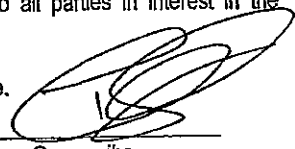
1. That on or about 05/20/2013, Harry E. Black, Finance Officer of Baltimore City, Collector of Taxes for the State of Maryland and the City of Baltimore, sold to Novalux MD 12 LLC, the hereinafter described parcel, the Fee Simple interest, in conformity with the powers and authority conferred on him by the Maryland Tax property Article, and said Finance Officer of Baltimore City issued a certificate of sale for the parcel to the Plaintiff herein. A copy of the Certificate of Tax sale is attached hereto as Plaintiff's Exhibit A.
2. A description of the property in substantially the same form as the description appearing on the Treasurer's and/or Director's tax roll and Deed hereinafter referred to is: Account No. 16-04-0084-009; situate in the City of Baltimore, known as 816 N. Fulton Avenue and described as Lot Size 16x91, being known as Ward 16 Section 04 Block 0084 Lot 009.
3. The amount necessary to redeem the property is \$853.41, plus interest at the rate set by the Tax Property Article from the date of the sale to the date of redemption, plus all court costs and expenses of this proceeding, including all costs, expenses and fees allowed by Maryland Code § 14-828 and § 14-843.
4. Notice of this proceeding has been given to the Collector of Taxes of Baltimore City, simultaneously with the filing of this Complaint.
5. A complete search of the Land Records of Baltimore City, and the records of the Register of Wills for Baltimore City, and of the Circuit Court for Baltimore City in accordance with

generally accepted standards of title examination for at least forty (40) years was performed immediately prior to the institution of this suit and said search revealed that the Fee Simple title or other legal interest to said property was vested in Defendants at the time of the aforementioned Tax Sale, as shown in the Affidavit of Title Search, filed hereinwith and made a part hereof. A copy of the Title Search is attached hereto as Plaintiff's Exhibit B and a copy of the Affidavit of Title search is attached as Exhibit C.

6. That this proceeding to foreclose the right of redemption is brought within two (2) years from the date of issuance of the aforesaid Tax Sale Certificate, and although more than six (6) months from the date of sale have expired, the property has not been redeemed by any party in interest.

WHEREFORE, the Plaintiff requests:

- A. That this Honorable Court may pass a Final Decree foreclosing all rights of redemption of all Defendants and of all persons having or claiming to have any interest in and to the aforesaid property herein described.
- B. That this Honorable Court may pass a judgment foreclosing the right of redemption vesting in the Plaintiff a Fee Simple title, for said properties and to bar all rights of redemption, and to foreclose all prior or subsequent alienations and descents of property herein described and all encumbrances thereon, except public easements to which this property is subject, taxes and other municipal liens accruing to the aforementioned tax sale.
- C. That a writ of subpoena be issued to the Mayor and City Council of Baltimore, all defendants in the case and all persons unknown, having or claiming to have any interest in the aforesaid lots of ground, of the object and substance of this complaint, warning them to appear in this Court, in person or by an attorney, on or before the _____ day of _____, 20____, to answer said complaint as to the above described lot of ground, warning them in case of failure to do so, a Final Decree will be passed foreclosing all rights of redemption in the lot of ground hereinabove referred to.
- D. That the Court issue an Order of Publication directed to all parties in interest in the property.
- E. And for such other relief as the nature of their cause require.



Anthony Onwuanibe
Attorney for the Plaintiff
P. O. Box 1534
Baltimore, MD 21203
(301) 776-7743
a.onwuanibe@gte.net

CERTIFICATE OF TAX SALE
MADE BY
DIRECTOR OF FINANCE OF BALTIMORE

I, Harry E. Black, Director of Finance, Collector of Taxes for the City of Baltimore and the State of Maryland hereby certify that on **MAY 20, 2013**

I sold to **NOVALUX MD 12 LLC**
5555 E OLYMPIC BLVD

LOS ANGELES, CA 90022

at public auction, property in the City of Baltimore known as

0816 N FULTON AVE

and described as follows: Lot Size **16X91**

(Being known as Ward **16** Section **04** Block **0084** Lot **009** on the Tax Roll of the Director of Finance).

Said property having been assessed to **KENNETH B MUMAW 3500 PARKDALE AVE**

Was sold for the sum of **TWO THOUSAND TWO HUNDRED TWENTY-TWO AND 00/100 DOLLARS**

of which **EIGHT HUNDRED FIFTY-THREE AND 41/100 DOLLARS**

is the total amount of taxes and other municipal liens due on the property at the time of the sale, together with interest and penalties thereon and expenses incurred in making the sale. The property described in this Certificate is subject to redemption. On redemption, the holder of this Certificate will be refunded the sums paid on the amount of the purchase price, together with interest at the rate of **18 %** per year from the date of payment to the date of redemption (except as stated in subsection (b) of §14-820 of the Tax-Property Article of the Annotated Code of Maryland) together with all other amounts specified by Chapter 761 of the Acts of 1943 and acts that amend that chapter. The balance due on account of the purchase price and all taxes and other municipal liens, together with interest and penalties on them accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After **NOVEMBER 20, 2013** (or earlier if permitted by Chapter 254 of the Acts of 1963 and acts that amend that chapter) a proceeding can be brought to foreclose all rights of redemption in the property. This Certificate will be void unless such proceeding is brought within two (2) years from the date of this Certificate, unless otherwise provided by law, including but not limited to §§14-817 and 14-833 of the Tax-Property Article of the Annotated Code of Maryland. This property was previously sold at the Tax Sale of

Witness my hand and seal this **TWENTIETH** day of **MAY 2013**

Harry E. Black

HARRY E. BLACK
Director of Finance/Collector

GOLDEN TRUST TITLE, LLC

Baltimore MD 21203

Tel: (301) 776 - 7743

Fax: (301) 776 - 7638

TITLE SEARCH REPORT FORM

INFORMATION REPORT FOR:

SEACH TYPE: 40 YEAR

TITLE ABSTRACT: \$250.00

FILE NO. 13-07-215T

| DEED INFORMATION | | |
|---|--|--|
| Tenancy: S/O Estate: <u>FEE SIMPLE</u> Address: 816 N. Fulton Ave., Baltimore, MD 21217 Vested In: Kenneth B. Mumaw Plumbing and Heating Company, Incorporated From: Bernice Miller and Dorothy Lee Book 3094 Page 403 Executed 1/14/74 Recorded 1/17/74 Tax ID No. 16-04-0084-009 | | |
| MORTGAGE / DEED OF TRUST | | |
| 1. DOT From: Kenneth B. Mumaw Plumbing and Heating Co., Inc. Trustees: G. J. Lang and Raymond T. Handy Book 3915 Page 17 Executed 6/2/80 Recorded 6/3/80 Principal Amount: \$883,700 | | |
| 2. DOT From: Kenneth B. Mumaw Plumbing and Heating Co., Inc. Trustees: G. J. Lang and Raymond T. Handy Book 3940 Page 526 Executed 8/14/80 Recorded 8/18/80 Principal Amount: \$280,000 | | |
| JUDGMENTS | | |
| <input type="checkbox"/> OK | <input checked="" type="checkbox"/> Possible Judgments | <input type="checkbox"/> Judgments to Follow |
| NOTES | | |

Submit Date:

9/19/13

Current Through:

09/10/13

ABSTRACTED BY: Onwuanibe

PO

Exhibit B

NOVALUX MD 12, LLC

* IN THE

* CIRCUIT COURT

v.

* FOR

KENNETH B. MUMAW, SURVIVING DIRECTOR OF
Kenneth B. Mumaw Plumbing & Heating Co. Inc.

* BALTIMORE CITY

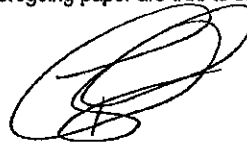
* CASE NO.: _____

AFFIDAVIT OF TITLE SEARCH – UNKNOWN OWNER

816 N. Fulton Avenue

Pursuant to Maryland Rule 14-502 and Maryland Tax-Property Article § 14-838, I, Anthony C. Onwuanibe of Golden Trust Title, LLC, am over the age of 18 and am competent to make this affidavit, and I hereby certify that on September 19, 2013, I personally conducted a title examination for the property known as 816 N. Fulton Avenue, Baltimore, Maryland, which included a complete search of the records of the Land Records Office for Baltimore City, the Circuit Court for Baltimore City, and the Register of Wills for Baltimore City, in accordance with generally accepted standards of title examination for the period of at least 40 years and an owner of the property or part of the property is unknown.

I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information, and belief.



Anthony C. Onwuanibe,
Golden Trust Title, LLC

Date: December 4, 2013

NOVALUX MD 12, LLC

* IN THE
* CIRCUIT COURT

v.

* FOR
* BALTIMORE CITY

KENNETH B. MUMAW, SURVIVING DIRECTOR OF
Kenneth B. Mumaw Plumbing & Heating Co. Inc.

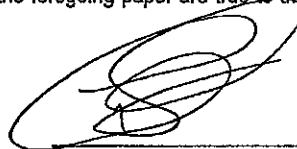
* CASE NO.: _____

ABTRACTOR'S AFFIDAVIT OF TITLE SEARCH

816 N. Fulton Avenue

Pursuant to Maryland Rule 14-502, I, Anthony C. Onwuanibe of Golden Trust Title, LLC, am over the age of 18 and am competent to make this affidavit, and I hereby certify that on September 19, 2013, I personally conducted a title examination for the property known as 816 N. Fulton Avenue, Baltimore, Maryland, which included a complete search of the records of the Land Records Office for Baltimore City, the Circuit Court for Baltimore City, and the Register of Wills for Baltimore City, in accordance with generally accepted standards of title examination for the period of at least 40 years.

I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information, and belief.



Anthony C. Onwuanibe,
Golden Trust Title, LLC

Date: December 4, 2013

| | |
|---|-------------------|
| Novalux MD 12, LLC | * IN THE |
| 110 West Saratoga # 4 | |
| Baltimore, MD 21201 | * CIRCUIT COURT |
| | |
| v. | * FOR |
| KENNETH B. MUMAW, SURVIVING DIRECTOR OF Kenneth B. Mumaw Plumbing & Heating Co. Inc. | * BALTIMORE CITY |
| 3500 Parkdale Avenue Baltimore, MD 21211 | * CASE NO.: _____ |
| | |

AFFIDAVIT IN COMPLIANCE WITH TAX-PROPERTY SECTION 14-833(a-1) & MD RULE 14-502

Pursuant to Maryland Rule 14-502, I Anthony C. Onwuanibe, hereby am verifying that the amount that shall be paid to redeem the property will comply with the requirements of Code, Tax Property Article, 14-833(a-1)(3).

Pursuant to Maryland Tax -Property SECTION 14-833(a-1), I, Anthony C. Onwuanibe, hereby certify that on September 24, 2013, I mailed by certified mail, return receipt requested, the first notice required by the statute to the following:

1. KENNETH B. MUMAW PLUMBING & HEATING CO. INC. (owner)
s/o: Kenneth B. Mumaw, President
3500 Parkdale Avenue
Baltimore, MD 21211
2. SMALL BUSINESS ADMINISTRATION (beneficiary to open deed of trust)
s/o: Stephen D. Umberger, District Director
10 S. Howard St
Baltimore, MD 21201

Evidence of the mailing of the second notices is attached as Exhibits 1 respectively.

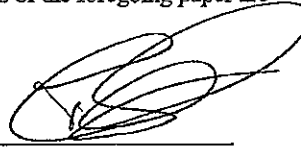
I further certify that on October 19, 2013, I mailed by certified mail, return receipt requested, the second notice required by the statute to the following defendants:

1. KENNETH B. MUMAW PLUMBING & HEATING CO. INC. (owner)
s/o: Kenneth B. Mumaw, President
3500 Parkdale Avenue
Baltimore, MD 21211

2. SMALL BUSINESS ADMINISTRATION (owner)
s/o: Stephen D. Umberger, District Director
10 S. Howard St
Baltimore, MD 21201

Evidence of the mailing of the second notices is attached as Exhibits 2 respectively.

I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information, and belief.



Anthony Onwuanibe
Attorney for the Plaintiff
P. O. Box 1534
Baltimore, MD 21203
(301) 776-7743
a.onwuanibe@gte.net

Exhibit 1

Name and Address of Sender

Anthony Onwuanibe
The Law Office of Anthony C. Onwuanibe
PO BOX 1534

Baltimore, MD 21203

Check type of mail or service:

- ☒ Certified
☐ COD
☐ Delivery Confirmation
☐ Express Mail
☐ Insured
☐ Recorded Delivery(International)
☐ Registered
☐ Return Receipt for Merchandise
☐ Signature Confirmation

Affix stamp here

(If issued as a
certificate of mailing, or
for additional copies of
this bill)

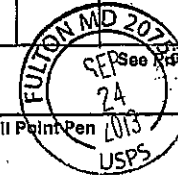
Postmark and Date of Receipt

| Article Number | Name & Address | Postage | Fee | Handling Charge | Actual Value If Registered | Insured Value | Due Sender If COD | DC Fee | SC Fee | SH Fee | RD Fee | RR Fee |
|--|--|---------|--------|-----------------|----------------------------|---------------|-------------------|--------|--------|--------|--------|--------|
| 71791000164999169807 Code: 13-07-215T | Notice of Delinquent Property Tax Kenneth B Mumaw Plumbing & Heating Co Inc s/o: Kenneth B Mumaw, President 3500 Parkdale Avenue | \$0.46 | \$3.10 | | | | | | | | \$0.00 | \$2.55 |
| 71791000164999169814 Code: 13-07-215T | Notice of Delinquent Property Tax Small Business Administration s/o Stephen D. Umberger, District Director 10 S. Howard Street | \$0.46 | \$3.10 | | | | | | | | \$0.00 | \$2.55 |

Total Number of Pieces Listed by Sender: 2
 Pieces Received by Post Office: 2
 POSTMASTER, PER
 Name of Receiving Employee: NR

PS Form 3877, June 2011

Completed by Typewriter, Ink, or Ball Point Pen



816 N. Fulton Ave

Exhibit 2

Name and Address of Sender

Anthony Onwuanibe
The Law Office of Anthony C. Onwuanibe
PO BOX 1534

Baltimore, MD 21203

Check type of mail or service:

- ☒ Certified ☐ Recorded Delivery (International)
☐ COD ☐ Registered
☐ Delivery Confirmation ☐ Return Receipt for Merchandise
☐ Express Mail ☐ Signature Confirmation
☐ Insured

Affix stamp here

(If issued as a
certificate of mailing, or
for additional copies of
this bill)

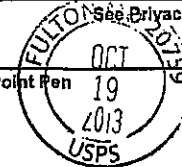
Postmark and Date of Receipt

| Article Number | Name & Address | Postage | Fee | Handling Charge | Actual Value If Registered | Insured Value | Due Sender if COD | DC Fee | SC Fee | SH Fee | RD Fee | RR Fee |
|----------------------|--|---------|--------|-----------------|----------------------------|---------------|-------------------|--------|--------|--------|--------|--------|
| 71791000184999570373 | Notice of Delinquent Property Tax Kenneth B Mumaw Plumbing & Heating Co Inc s/o: Kenneth B Mumaw, President 3500 Parkdale Avenue | \$0.46 | \$3.10 | | | | | | | | \$0.00 | \$2.55 |
| 71791000164999570380 | Notice of Delinquent Property Tax Small Business Administration s/o Stephen D. Umberger, District Director 10 S. Howard Street | \$0.46 | \$3.10 | | | | | | | | \$0.00 | \$2.55 |

Total Number of Pieces Listed by Sender: 2
 Places Received by Post Office: 2
 POSTMASTER, PER: NK
 Name of Receiving Employee: NK

PS Form 3877, June 2011

Completed by Typewriter, Ink, or Ball Point Pen



816 N Fulton Ave

NOVALUX MD 12, LLC

* IN THE
* CIRCUIT COURT

v.

* FOR

KENNETH B. MUMAW, SURVIVING DIRECTOR OF
Kenneth B. Mumaw Plumbing & Heating Co. Inc.

* BALTIMORE CITY

* CASE NO.: _____

**NOTICE TO INTERESTED PARTIES OF ACTION TO FORECLOSE
THE RIGHT OF REDEMPTION IN PROPERTY SOLD AT TAX SALE**

This notice is provided pursuant to the requirements of Maryland Rule 14-502(b) (3) in connection with the filing in Court of the above-referenced action.

- A. The object of the proceeding is to secure the foreclosure of all rights of redemption in the following property situated and lying in Baltimore City and the State of Maryland, to the Plaintiff in this proceeding. The Complaint states, among other things, that the amount necessary for the redemption has not been paid, although more than six (6) months from the date of the sale has expired.
- B. Description of the particular property included in the foreclosure proceeding: Certificate No.: 275889, situate in the City of Baltimore, known as: 816 N. Fulton Avenue, and described as Lot Size 16x91, Ward 16, Section 04, Block 0084, Lot 009.
- C. If the above-named person or entity you represent has a recorded interest, claim, lien or judgment regarding the property or its owner, you and your client are hereby notified of the filing of this Complaint and are warned to redeem the property or file an answer to the Complaint on or before the latest of:
- The expiration date of the period described in the summons or
 - The date specified in the Order of Publication or
 - 33 days after the mailing out of said Order of Publication

- D. Failure to redeem the property or answer the Complaint may result in a Final Judgment Foreclosing all Rights of Redemption in and as to the Property and vesting in the Plaintiff a title, free and clear of all encumbrances.
- E. The above notwithstanding, pursuant to Md. Code Ann. Tax-Property Article § 14-827, a person or entity with a legal interest in the property, may redeem at any time until the right of redemption has been finally foreclosed by the actual issuance of Judgment of Foreclosure by the Court.



Anthony Onwuanibe
Attorney for the Plaintiff
P. O. Box 1534
Baltimore, MD 21203
(301) 776-7743
a.onwuanibe@gte.net

Clerk of the Circuit Court for
Baltimore City, Maryland